UNITED STATES DISTRICT COURT 08/SOUTHERN DISTRICT OF CALIFORNIA

^{'08} MJ 1635

SUERK, U.S. DULY SUER OF AMERICA	II: 16		. •
UNITED STATES OF AMERICA	**************************************) Magistrate Case No.	
v	DEPUTY)	
,) COMPLAINT FOR VIOLATION OF	
MAGGIORE, Nickolas		Title 18, United States Cod) Section 751(a))	le

The undersigned complainant, being duly sworn states:

That on or about January 18, 2007, at San Diego, California, in the Southern District of California, Nickolas MAGGIORE did escape from an institution in which he was confined by the direction of the Attorney General, to wit, the Correctional Alternatives Community Corrections Center, a Half-Way House in San Diego, California, a federally contracted facility, said custody and confinement being by virtue of a conviction of Bank Robbery, in violation of Title 18 USC 2113(a).

The complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

United States Marshal

Sworn to before me, and subscribed in my presence, this day of May 23, 2008.

United States Magistrate Judge

- I, Jaime L. Stevenson, being duly sworn, hereby depose and state that:
- 1. I am a Deputy United States Marshal and have been so employed for approximately three years.
- 2. This affidavit is made in support of a complaint against Nickolas MAGGIORE for escape from the custody of the Attorney General, in violation of Title 18, United States code, Section 751(a).
- 3. On January 18, 2007, the United States Marshals Office received a memorandum from the United States Federal Bureau of Prisons to report the escape of Nickolas MAGGIORE from Correctional Alternatives Community Corrections Center, San Diego, California, a federally contracted facility.
- 4. On May 23, 2008, I reviewed files from the United States Marshals Service and Correctional Alternatives. My review of the files revealed the following facts:
- a. Records shows that on September 16, 1996, Nickolas MAGGIORE received a sentence of one hundred fifty-one (151) months and three (3) years of supervised released imposed by United States District Court Judge William Enright, after having been convicted for Bank Robbery, in violation of Title 18, United States Codes 2113(a).
- b. The records show that Nickolas MAGGIORE was transferred to the Correctional Alternatives Community Corrections Center in San Diego, California, from the Federal Correctional Institution (FCI), Englewood, in Littleton, Colorado on December 7, 2006. He had a projected release date of March 16, 2007.
- c.. MAGGIORE had signed out of the facility on January 18, 2007, at 4:32 a.m., for work with a scheduled return time of 7:00 p.m. MAGGIORE failed to return to the facility as scheduled. At 9:00 p.m., notifications were made that MAGGIORE failed to return to the facility as scheduled. At 10:45 p.m., MAGGIORE was placed on escape status.
- d. On May 16, 2008, San Diego Police Department arrested MAGGOIRE based on his escaped prisoner status. He is currently in custody at MCC San Diego.

Deputy U.S. Marshal

Dated: May 23, 2008

Subscribed and sworn before me on this 23rd day of May, 2008

Anthony J. Battaglia

Unitéd States Magistrate Judge